

BUZZI
Appl. No. 10/776,165
November 14, 2007

AMENDMENTS TO THE DRAWINGS

Kindly replace as-filed Figure 2 with corrected Figure 2, submitted herewith as a replacement sheet.

REMARKS/ARGUMENTS

Reconsideration and allowance in view of the foregoing Amendment and Remarks are respectfully requested.

The drawings were objected to under 37 C.F.R. §1.83(a) because the as-filed drawings did not depict the flow passage through the piston 10 and core 5. A replacement Figure 2 is submitted herewith. Replacement Figure 2 schematically illustrates the flow passage through the piston 10 and core 5. No new matter has been added. Approval of the herewith replacement Figure 2 is requested.

The specification was objected to as failing to provide proper antecedent basis for the claimed subject matter. In particular, the Examiner objected that there is no basis in the Specification for "elastic contrast means" and "elastic thrust member" of claims 1 and 3, respectively. To address the Examiner's objection, claim 1 has been amended to delete "elastic contrast means" and insert "a compression spring", which finds support in the Specification. In regard to claim 3, page 4 has been amended to characterize "helical compression spring" 19 as "an elastic thrust member, for example, a helical compression spring". No new matter has been added since "elastic thrust member" and "compression spring" are fully supported in the text (Claims and Specification) as filed. Reconsideration and withdrawal of the objection is respectfully requested.

Claims 1-4 were rejected under 35 U.S.C. 112, first paragraph, as allegedly failing to comply with the enablement requirement. In response, Applicant respectfully points out the following passage of the Specification, on page 4, commencing at line 11:

The tubular element 12 which defines the pumping chamber is axially movable within the hollow member 9, between the advanced position of normal operation,

shown in Figure 2 and in which it is as stated in sealed contact with the inner wall of hollow member 9, and a lowered position in which it allows communication between the area of the hollow member 9 communicating with the outlet fitting 8 and the cavity 4 of the hollow body 3, which in turn is in communication with the inlet fitting 6 connected with the water tank. (Paragraph 16 of the Specification as published).

Applicant believes that the description of the flow communication from this paragraph is clear. In fact, in the Specification, it is stated that the tubular element 12 is axially movable within the hollow member 9 and, when the tubular element 12 is in the cited lower position, such tubular element 12 is spaced from the hollow member 9, so that the sealed contact between the tubular element 12 and the hollow member 9 is interrupted. In this configuration, a flow communication between the outlet fitting 8 and the cavity 4 is realized. In paragraph 14 of the Specification as published (page 4 of the Specification commencing at line 2), it is stated that the core 5 is hollow. Consequently, it is clear that a flow communication is realized from the cavity 4 and the inlet fitting 6.

In Applicant's opinion, the Specification thus provides a sufficient description that does not impose any undue burden on a skilled technician operating in the field of micro-pumps to make and/or use the invention.

In view of the foregoing, reconsideration and withdrawal of the rejection under 35 U.S.C. 112, first paragraph, is solicited.

Claims 1-4 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite. In response to the Examiner's rejection, the expression "pumping chamber" in claim 1 has been replaced with the expression "a tubular element defining a pumping chamber". Thus, this feature has been described in more structural terms.

Regarding the Examiner's objection to the statement that the core is "bearing" a tubular piston, Applicant respectfully notes that the word "bearing" has the meaning of "supporting", but claim 1 has been revised in view of the Examiner's objection. Finally,

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the expression "an inner volume of the pump" has been replaced with the expression "said cavity of the pump", already introduced in claim 1.

With the above-noted revisions, it is believed that claim 1 and the claims that depend from it are in full compliance with 35 U.S.C. 112, all paragraphs.

Applicant notes with appreciation the Examiner's indication that claims 1-4 will be allowable if rewritten or amended to overcome the Examiner's rejections under 35 U.S.C. 112. The claims have been amended to address the Examiner's objections. It is believed that all claims are now in condition for allowance.

All objections and rejections having been addressed, it is respectfully submitted that the present Application is in condition for allowance, and a Notice to that effect is solicited.

Respectfully submitted,

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